

RECEIVED
CENTRAL FAX CENTER

DEC 08 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MacArthur et al.
Serial No: 09/680,156
Filing Date: 10/05/2000
Title: DATA STORAGE SYSTEM
HAVING SEPARATE DATA
TRANSFER SECTION AND
MESSAGE NETWORK HAVING
BUS ARBITRATION
Group Art Unit: 2152
Examiner: Chankong, Dohm
Attorney Docket No. EMC2-080PUS (formerly 07072-115001))

CERTIFICATE OF MAILING/TRANSMISSION 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below or is, on the date shown below, being transmitted by facsimile to the Patent and Trademark Office at 703-872-9306

Signature

[Handwritten Signature]
25,800

Date: 12-8-2004

Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:

Terminal Disclaimer
Under 37 CFR 1.321(b)

Your Petitioner, EMC Corporation, a Massachusetts corporation, having its principal place of business at 176 South Street, Hopkinton, MA 01748-9103, states that it is the assignee, by assignment recorded on 10/05/2000 at Reel/Frame 011162/0214, of the entire right, title and interest in and to the patent application identified above.

Your Petitioner hereby disclaims, except as provided below, the terminal part of the statutory period of any patent granted on the application identified above that would extend beyond expiration of the full statutory term of any patent granted on pending patent application serial no. 09/540,825 filed 3/31/2000, also assigned to EMC Corporation, as indicated in an Assignment recorded on 4/26/2000 at Reel/Frame 010718/0157.

03/22/2005 08:12:22Z 00000002 050889 --0260156

01 FC:1814 130.00 DA

PAGE 10/14 * RCVD AT 12/8/2004 3:09:30 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/0 * DNS:8729306 * CSID:5084777234 * DURATION (mm-ss):09-04

Your Petitioner hereby agrees that any patent so granted on the application serial no. 09/680,156 identified above shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on patent application serial no. 09/540, 825. This agreement is to run with any patent granted on the application serial no. 09/680,156 identified above and is to be binding upon the grantee, its successor or assigns.

Your Petitioner does not disclaim any terminal part of the statutory period of any patent granted on the application serial no. 09/680,156 identified above prior to the expiration of any patent granted on application serial no. 09/540,825, in the event that any patent granted on said application serial no. 09/540,825 expires earlier for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or in part, has all claims canceled by reexamination, is subject of a reissue, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned, whose title is supplied below, is empowered to act and authorized to execute this document on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
EMC Corporation

Dated: December 7, 2004

By: Krishnendu Gupta

Name: Krishnendu Gupta

Title: Director, Senior Counsel

Terminal disclaimer